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High Court of Judicature at Patna

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Notification

12th January 2021

**THE PATNA HIGH COURT OFFICERS AND STAFF (RECRUITMENT,  
APPOINTMENT, PROMOTION AND OTHER CONDITIONS OF SERVICE AND  
CONDUCT) RULES, 2021**

No. 26 (R).—In exercise of the powers conferred by clause (2) of Article 229 of the Constitution of India, the Chief Justice of the High Court of Judicature at Patna makes the following rules with respect to the conditions of service of persons serving in the establishment of High Court of Judicature at Patna.

**PART I**

**Short Title, Date of Commencement and Definitions**

**1. Short Title and Date of Commencement.—**

- (i) These rules may be called the Patna High Court Officers and Staff (Recruitment, Appointment, Promotion and other Condition of Service and Conduct) Rules, 2021.
- (ii) They shall apply to all officers and other members of the establishment of the High Court.
- (iii) They shall come into force with effect from the date of publication in the official Gazette.

2. *Definitions.—In these rules, unless the context otherwise, requires:-*

- (a) '**Board**' means any recognized institution, conducting examination upto intermediate standards or awarding diplomas as may be declared by the Chief Justice to be so recognized for the purpose of these rules.
- (b) '**Chief Justice**' means the Chief Justice of High Court of Judicature of Patna.
- (c) '**Citizen of India**' means a person who is or is deemed to be citizen of India under Part II of the Constitution.
- (d) '**Commission**' means the Bihar Public Service Commission.
- (e) '**Constitution**' means the Constitution of India.
- (f) '**Court**' means the High Court of Judicature at Patna.
- (g) '**Direct Recruitment**' means recruitment on the basis of competitive examination held by 'Establishment Committee'/ 'Committee' of the Court constituted by the Chief Justice from time to time.
- (h) '**Establishment**' means the establishment of the High Court of Judicature at Patna.
- (i) '**Committee**' means the High Court Establishment Committee of Puisne Judges of the Court constituted by the Chief Justice from time to time.
- (j) '**Government**' means the Central Government or the Government of Bihar, as the case may be.
- (k) '**Governor**' means the Governor of the State of Bihar.
- (l) '**J.A.D**' means the Judge, Administrative Department I & II as mentioned in Rule 1 in Chapter I, Part - I of the Patna High Court Rules, 1916.
- (m) '**Limited Competitive Examination**' means a limited competitive examination held by 'Establishment Committee' of the Court constituted by the Chief Justice from time to time for filling up various **Group - B** & **Group - C** posts from amongst the serving Members of the Establishment.
- (n) '**Level**' means pay level for different categories of post as per F.D. Resolution no.3590 Dated 24.05.2017 of the State Government.
- (o) '**Member of the Establishment**' means a person appointed in accordance with these rules or orders in force prior to the commencement of these rules.
- (p) '**Officer of the Registry**' means Officers of Bihar Superior Judicial Service, Bihar Judicial Service and officers of **Group - A** of the establishment of the Court.
- (q) '**Officer**' means Officers of **Group - B** of the establishment of the Court, as per Classification of posts notified by the State Government.
- (r) '**Staff**' means **Group - B (wherever applicable) and Group - C** employees of the Court.
- (s) '**Registrar General**' means the Registrar General of the Court.
- (t) '**Registrar (Establishment)**' means the Registrar (Establishment) of the Court.

(u) **'Registrar (Recruitment & Appointment)'** means the Registrar (Recruitment) of the Court.

(v) **'Staffing Pattern'** means Staffing Pattern approved by the Chief Justice framing separate promotional hierarchy for the cadres of Assistant, Personal Assistant, Translator, Librarian, Staff Car Driver and/or Cadre for any other posts, including required sanctioned strength of different categories of posts in the establishment of the Court.

(w) **'University'** means any University established under law in India or any other University/ Institution which is declared by the Chief Justice to be a University for the purpose of these rules.

(x) **'Year of Recruitment'** means the calendar year.

## PART II

### 3. *Strength of the Officers of the Registry on deputation from Bihar Superior Judicial Service, Bihar Judicial Service.—*

Sl. No.	Nomenclature / Classification of post	Mode of Appointment
1.	Registrar General	By way of deputation of Officers of the Bihar Superior Judicial Service of the rank of District and Sessions Judge.
2.	Registrar (Vigilance)	
3.	Registrar (Administration)	
4.	Registrar (Appointment)	
5.	Registrar (IT)-cum-CPC	
6.	Joint Registrar (Judicial)	By way of deputation of Officers of the Bihar Superior Judicial Service of the rank of Additional District and Sessions Judge.
7.	Joint Registrar (Establishment)	
8.	Officer-on-Special Duty	
9.	Joint Registrar (List)	
10.	Additional Registrar (Juvenile Justice Secretariat)	
11.	Officer-on-Special Duty (Computerization)	By way of deputation of Officers of the Bihar Judicial Service of the rank of Civil Judge (Sr. Division).
12.	Officer-on-Special Duty (Infrastructure)	
13.	Member Secretary, Bihar State Court Management System Committee	
14.	Research Officer (Juvenile Justice Secretariat)	

### PART III

#### Staffing Pattern of the Establishment

##### **4. Staffing Pattern of the Establishment.—**

- (i) There shall be a 'Staffing Pattern' providing separate promotional hierarchy for the existing cadres of (i) Assistant's Cadre, (ii) Personal Assistant's Cadre, (iii) Translator's Cadre, and formation of new cadres viz., (iv) Library Cadre, (v) Miscellaneous Cadre and (vi) Staff Car Driver's Cadre, with sanctioned strength for each cadre, besides different categories of Ex-Cadre posts and other Group – C posts approved by the Chief Justice.
- (ii) The number of permanent posts of the various categories in the establishment of the Court as per 'Staffing Pattern' shall be such as may be determined by the Chief Justice from time to time with the approval of the Governor.
- (iii) The Chief Justice may, from time to time, create such temporary posts as may be considered expedient in the interest of Court's administration with approval of the Governor.
- (iv) The Chief Justice may appoint such number of employees as may be necessary for the proper working of the Court within the budgetary provision.
- (v) The Chief Justice may leave unfilled or may hold in abeyance any vacant post, without entitling any person to compensation.

##### **5. Appointing Authority.—**

- (i) The Chief Justice shall be the Appointing Authority for all Officers of Group - A and B posts (Level – 9 & above) mentioned in the 'Staffing Pattern' for the establishment of the Court.
- (ii) The Registrar General shall be the Appointing Authority for appointments of all staff of Group – B and C posts, including those engaged on daily wages. He will, however, make such appointment with prior approval of the Chief Justice.

### PART IV

#### **6. Sources, Qualification and Mode of Appointment for all Group – A, B & C posts as per 'Staffing Pattern'.—**

**(A) The mode of appointment, promotion & recruitment to Group – A & B posts of Assistant's Cadre in the establishment of the Court as per 'Staffing Pattern' shall be as follows :-**

Sl. No.	Nomenclature/ Classification of post	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
<b>1.</b>	Registrar (Establishment) (Group – A)	By selection for appointment on promotion from amongst the eligible Joint Registrars from Assistant's Cadre on the basis of seniority-cum-merit.	<ul style="list-style-type: none"> <li>(i) Graduation in any discipline from a recognised University / Institution.</li> <li>(ii) Satisfactory Service of one year on the post of Joint Registrar.</li> <li>(iii) Interview.</li> </ul>
<b>2.</b>	Registrar (Recruitment & Appointment) (Group – A)	By selection for appointment on promotion from amongst the eligible Joint Registrars from Assistant's Cadre on the	<ul style="list-style-type: none"> <li>(a) Graduation in any discipline from a recognised University / Institution</li> </ul>

Sl. No.	Nomenclature/ Classification of post	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
		basis of seniority -cum-merit.	(b) Satisfactory Service of one year on the post of Joint Registrar (c) Interview
3.	Joint Registrar (Group – A)	By selection for appointment on promotion from amongst the eligible Deputy Registrars of Assistant's Cadre on the basis of seniority -cum-merit.	(a) Graduation in any discipline from a recognised University / Institution. (b) Satisfactory Service of at least one year on the post of Deputy Registrar. (c) Interview.
4.	Deputy Registrar (Group – A)	By appointment on promotion from amongst the eligible Assistant Registrars of Assistant's Cadre on the basis of seniority-cum-merit.	(a) Graduation in any discipline from a recognized University / Institution. (b) Satisfactory Service of at least one year on the post of Assistant Registrar (c) Interview.
5.	Assistant Registrar (Group – A)	By appointment on promotion from amongst the eligible Section Officers/ Court Officer on the basis of seniority-cum-merit.	(a) Graduation in any discipline from a recognised University / Institution. (b) Satisfactory Service of at least two years on the post of Section Officer. (c) Interview.
6.	Section Officer (Group – B)	By appointment on promotion from amongst the eligible Assistants on the basis of seniority-cum-merit.	(a) Graduation in any discipline from a recognised University/ Institution. (b) Satisfactory Service of at least 08 years on the post of Assistant. (c) Written test (qualifying marks of 40%). (d) Computer Proficiency Test. (e) Interview.
7.	Court Officer (Group – B)	By deputation from amongst the eligible Section Officers in the establishment of the Court.	(a) Graduation in any discipline from a recognised University / Institution. (b) Satisfactory Service. (c) Interview by the Chief Justice
8.	Assistant (Group – B)	<b>(i) By Direct Recruitment</b> 75% vacancies of a calendar year.	(a) Graduation in any discipline from a recognised University / Institution. (b) Diploma/ Certificate of at least six month's course in Computer Application from a recognised Institution. (c) Written Test. (d) Computer Proficiency Test. (e) Interview.

Sl. No.	Nomenclature/ Classification of post	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
		<p><b>(ii) Through Limited Competitive Test</b></p> <p>25% vacancies of a calendar year shall be filled up by way of appointment from amongst the following categories of posts:-</p> <p>(a) Cashier,          (b) Data Entry Operator,          (c) Assistant Cashier,          (d) Assistant Court Officer,          (e) Head Typist,          (f) Foreman (Motor Car Garage)          (g) Ex-Cadre Assistant,          (h) Computer Operator-cum-Typist,          (i) Protocol Assistant,          (j) Photocopier Machine Operator/ U.B.I.X. Operator,          (k) P.B.X. Operator,          (l) Treasury Sarkar.</p>	<p>(a) Graduation in any discipline from a recognised University / Institution.          (b) Three years regular satisfactory service.          (c) Written Test.          (d) Computer Proficiency Test.          (e) Interview.</p>

**(B)** The mode of appointment, promotion & recruitment to Group - A, B & C posts of Personal Assistant's Cadre in the establishment of the Court as per 'Staffing Pattern' shall be as follows:-

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
1.	Registrar-cum-Principal Private Secretary to the Chief Justice (Group - A)	<p>By selection from amongst the eligible Officers of Personal Assistant's Cadre holding the post of Joint Registrar on the basis of seniority-cum-merit</p> <p>Or</p> <p>By selection from amongst the eligible Joint Registrar-cum-Additional Principal Private Secretaries from Personal Assistant's Cadre on the basis of seniority-cum-merit.</p>	<p>(a) Graduation in any discipline from a recognised University/ Institution.          (b) Satisfactory Service of one year on the post of Joint Registrar or Joint Registrar-cum-Additional Principal Private Secretary.          (c) Interview by the Chief Justice.</p>
2.	Joint Registrar-cum-Additional Principal Private Secretary (Group - A)	<p>By appointment from amongst the eligible Officers of Personal Assistant's Cadre holding the post of Joint Registrar on the basis of seniority-cum-merit</p> <p>Or</p> <p>By selection for appointment on promotion from amongst eligible</p>	<p>(a) Graduation in any discipline from a recognised University / Institution.          (b) Satisfactory Service of one year on the post of Deputy Registrar or Deputy Registrar-cum-Senior Secretary.          (c) Interview</p>

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
		<p>Deputy Registrars of Personal Assistant's Cadre on the basis of seniority-cum-merit Or</p> <p>By selection for appointment on promotion from amongst the eligible Deputy Registrar-cum-Senior Secretaries of Personal Assistant's cadre on the basis of seniority-cum-merit.</p>	
3.	Deputy Registrar-cum-Senior Secretary (Group – A)	<p>By appointment from amongst the eligible Officers of Personal Assistant's Cadre holding the post of Deputy Registrar on the basis of seniority-cum-merit Or</p> <p>By selection for appointment on promotion from amongst Assistant Registrar from Personal Assistant's Cadre on the basis of seniority-cum-merit.</p> <p>Or</p> <p>By selection for appointment on promotion from amongst the eligible Assistant Registrar-cum-Secretary to Puisne Judge on the basis of seniority-cum-merit.</p>	<ul style="list-style-type: none"> <li>(a) Graduation in any discipline from a recognised University / Institution.</li> <li>(b) Satisfactory Service of one year on the post of Assistant Registrar or Assistant Registrar-cum-Secretary to Puisne Judge.</li> <li>(c) Interview</li> </ul>
4.	Assistant Registrar-cum- Secretary to Puisne Judge (Group – A)	<p>By appointment from amongst the eligible Officers of Personal Assistant's Cadre holding the post of Assistant Registrar on the basis of seniority-cum-merit Or</p> <p>By selection for appointment on promotion from amongst the eligible Senior Personal Assistant from Personal Assistant's Cadre on the basis of seniority-cum- merit in the establishment of the Court.</p>	<ul style="list-style-type: none"> <li>(a) Graduation in any discipline from a recognised University / Institution.</li> <li>(b) Satisfactory Service of two years on the post of Senior Personal Assistant</li> <li>(c) English shorthand-computer typing test with minimum speed of 120 words per minute for 480 words only i.e. at the rate of 120 w.p.m. for 4 minutes and 24 minutes for its transcription with error not exceeding 7%(for Senior Personal Assistant only).</li> <li>(d) Interview.</li> </ul>
5.	Senior Personal Assistant (Group – B)	<p>By selection for appointment on promotion from amongst the eligible Personal Assistant on the basis of seniority-cum- merit in the establishment of the Court.</p>	<ul style="list-style-type: none"> <li>(a) Graduation in any discipline from a recognised University/ Institution.</li> <li>(b) Satisfactory Service of four years on the post Personal Assistant</li> <li>(c) English shorthand-computer typing test with minimum speed of 110 words per minute for 440</li> </ul>

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
			<p>words only i.e. at the rate of 110 w.p.m. for 4 minutes and 22 minutes for its transcription with error not exceeding 10%.</p> <p>(d) Interview.</p>
6.	<p>Personal Assistant (Group – B)</p>	<p>(i) <b>By Direct Recruitment</b> 50% vacancies of a calendar year.</p> <p>(ii) <b>Through Limited Competitive Test</b> 50% vacancies of a calendar year shall be filled up from amongst the eligible Stenographers.</p>	<p>(a) Graduation in any discipline from a recognised University/ Institution.</p> <p>(b) Certificate of English Shorthand and English Typing having required minimum speed, from a recognised institution.</p> <p>(c) Diploma/ Certificate of at least six month's Course in Computer Application from a recognised institution.</p> <p>(d) (i) English shorthand-computer typing test with speed of 100 words per minute for 400 words only i.e. at the rate of 100 w.p.m. for 4 minutes and 20 minutes for its transcription along with 10 minutes for revision of shorthand immediately after dictation. (ii) English Typing test with speed of 40 words per minute.</p> <p>(e) Written Test.</p> <p>(f) Interview.</p> <p><b>Qualifying Standard –</b></p> <p>85% in English Shorthand-Typing 90% in English Typing 40% in Objective Written Test as prescribed by the Committee. 30% in Interview.</p> <p>Decision for relaxation, if any required in Qualifying Standard except 'Interview', may be taken by the Chief Justice in the interest of the Court.</p> <p>(a) Graduation in any discipline from a recognised University / Institution.</p> <p>(b) Three years regular satisfactory Service on the post of Stenographer.</p>

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
			<p>(c) (i) English shorthand-computer typing test with speed of 100 words per minute for 400 words only i.e. at the rate of 100 w.p.m. for 4 minutes and 20 minutes for its transcription along with 10 minutes for revision of shorthand immediately after dictation.</p> <p>(ii) English Typing test with speed of 40 words per minute.</p> <p>(d) Interview.</p> <p><b><u>Qualifying Standard –</u></b></p> <p>85% in English Shorthand-Typing</p> <p>90% in English Typing</p> <p>30% in Interview.</p> <p>Decision for relaxation, if any required in the interest of the Court, in Qualifying Standard except 'Interview' may be taken by the Chief Justice in the interest of the Court.</p>
7.	Stenographer (Group – C)	By Direct Recruitment.	<p>(a) Intermediate (12th Passed) from a recognised Board/ University</p> <p>(b) Certificate of English Shorthand and English Typing from a recognised institution.</p> <p>(c) Diploma/ Certificate of at least six month's Course in computer Application from a recognised institution.</p> <p>(d) (i) English shorthand-computer typing test with speed of 80 words per minute for 320 words only i.e. at the rate of 80 w.p.m. for 4 minutes and 15 minutes for its transcription along with 7 minutes for revision of shorthand immediately after dictation.</p> <p>(ii) English Typing test with speed of 40 words per minute.</p> <p>(e) Written Test.</p> <p>(f) Interview.</p>

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
			<p><b><u>Qualifying Standard –</u></b></p> <p>85% in English Shorthand-Typing 90% in English Typing 40% in Objective Written Test as prescribed by the Committee. 30% in Interview.</p> <p>Decision for relaxation, if any required in Qualifying Standard except 'Interview', may be taken by the Chief Justice in the interest of the Court.</p>

**(C)** The mode of appointment, promotion & recruitment to Group – A, B & C posts of Translator's Cadre in the establishment of the Court as per 'Staffing Pattern' shall be as follows :-

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
1.	Joint Registrar (Translation) (Group – A)	<p>By appointment from amongst eligible Officers of Translator's Cadre holding the post of Joint Registrar on the basis of seniority-cum-merit.</p> <p>Or</p> <p>By appointment from amongst eligible Officers of Translator's Cadre holding the post of Deputy Registrar on the basis of seniority-cum-merit.</p> <p>Or</p> <p>By appointment on promotion from amongst the eligible Deputy Registrars (Translation) from Translator's Cadre on the basis of seniority-cum-merit.</p>	<ul style="list-style-type: none"> <li>(a) Graduation in any discipline from a recognised University / Institution</li> <li>(b) Satisfactory Service of one year on the post of Deputy Registrar or Deputy Registrar (Translation)</li> <li>(c) Interview.</li> </ul>
2.	Deputy Registrar (Translation) (Group – A)	<p>By appointment from amongst eligible Officers of Translator's Cadre holding the post of Deputy Registrar on the basis of seniority-cum-merit.</p> <p>Or</p> <p>By selection for appointment on promotion from amongst</p>	<ul style="list-style-type: none"> <li>(a) Graduation in any discipline from a recognised University / Institution</li> <li>(b) Satisfactory Service of one year on the post of Assistant Registrar or Assistant Registrar (Translation).</li> <li>(c) Interview.</li> </ul>

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
		<p>eligible Officers of Translator's Cadre holding the post of Assistant Registrar on the basis of seniority-cum-merit.</p> <p>Or</p> <p>By appointment on promotion from amongst the eligible Assistant Registrars (Translation) on the basis of seniority-cum-merit.</p>	
3.	Assistant Registrar (Translation) (Group – A)	<p>By appointment from amongst eligible Officers of Translator's Cadre holding the post of Assistant Registrar on the basis of seniority-cum-merit.</p> <p>Or</p> <p>By appointment on promotion from amongst the eligible Translation Officers of Translator's Cadre on the basis of seniority -cum-merit.</p>	<ul style="list-style-type: none"> <li>(a) Graduation in any discipline from a recognised University / Institution</li> <li>(b) Satisfactory Service of two years on the post of Translation Officer.</li> <li>(c) Interview.</li> </ul>
4.	Translation Officer (Group – B)	By appointment on promotion from amongst the eligible Translators on the basis of seniority-cum-merit in the establishment of the Court.	<ul style="list-style-type: none"> <li>(a) Graduation from a recognised University/ Institution</li> <li>(b) Satisfactory Service of four years on the post of Translator</li> <li>(c) By qualifying the Written Test of Translation from Hindi to English and vice-versa</li> <li>(d) Computer Proficiency Test</li> <li>(e) Interview.</li> </ul>
5.	Translator (Group – B)	By Direct Recruitment	<ul style="list-style-type: none"> <li>(a) Graduation with English as one of the subject from a recognized University.</li> <li>(b) Diploma/ Certificate of at least six month's course in Computer Application from a recognised Institution.</li> <li>(c) Preference will be given to Post-graduate candidates in English/ Hindi</li> <li>(d) Preference will be given to the candidates having knowledge of Urdu/ Bangla/ Kaithi.</li> <li>(e) Written Test.</li> <li>(f) Computer Proficiency Test.</li> </ul>

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
			(g) Interview.

**(D)** The mode of appointment, promotion & recruitment to Group – A & B posts of ‘Bench Secretary Cadre’ in the establishment of the Court notified vide ‘Notification no. 42 (R)/2020 Dated 18/02/2020’ shall be as follows:

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
1.	Bench Secretary (Special Grade)	By selection for appointment on promotion from amongst eligible Bench Secretaries (Grade-II) on the basis of seniority-cum-merit.	(a) Graduation in any discipline from a recognised University/ Institution (b) Continuous Satisfactory Service of two years on the post of Bench Secretary (Grade-II). (c) Interview.
2.	Bench Secretary (Grade-II)	By appointment on promotion from amongst eligible Bench Secretaries (Grade-I) on the basis of seniority-cum-merit.	(a) Graduation in any discipline from a recognised University/ Institution (b) Continuous Satisfactory Service of three years on the post of Bench Secretary (Grade-I). (c) Interview.
3.	Bench Secretary (Grade-I)	By appointment on promotion from amongst eligible Bench Secretaries (Basic Grade) on the basis of seniority-cum-merit.	(a) Graduation in any discipline from a recognised University/ Institution (b) Continuous Satisfactory Service of five years on the post of Bench Secretary (Basic Grade). (c) Interview.
4.	Bench Secretary (Basic Grade)	<p><b>(i) By Direct Recruitment</b> 50% vacancies of a calendar year.</p> <p><b>(ii) Through Limited Competitive Test</b> 50% vacancies of a calendar year shall be filled up from amongst</p>	<p>(a) Graduation in any discipline from a recognised University/ Institution. (b) Diploma/ Certificate course of at least six months in computer application from an institution recognized by the Government. (c) Preference shall be given to the candidates possessing a Law Degree. (d) Written Test. (e) Interview.</p> <p>(a) Graduation in any discipline from a recognised University/ Institution. (b) Continuous Satisfactory Service of at least five years on the post of Bench Secretary (Basic Grade).</p>

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
		eligible Assistants of the Court on the basis of merit-cum-seniority.	<p>(c) Preference shall be given to the candidates possessing a Law Degree.</p> <p>(d) Written Test.</p> <p>(e) Interview.</p>

**Note:-** The matters not covered under the 'The Bench Secretary (Recruitment) Rules, 2020' shall be governed by the provisions of the Patna High Court Officers and Staff (Recruitment, Appointment, Promotion and other Condition of Service and Conduct) Rules, 2021 in respect of cadre of Bench Secretary.

**(E)** The mode of appointment, promotion & recruitment to Group – A, B & C posts of Library Assistant's Cadre in the establishment of the Court as per 'Staffing Pattern' shall be as follows :-

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
1.	Principal Librarian (Group – A)	By appointment on promotion from Senior Librarian.	<p>(a) Graduate with Degree in Library Science/ Library &amp; Information Science from a recognised University/ Institution.</p> <p>(b) Satisfactory Service of at least one year on the post of Senior Librarian.</p> <p>(c) Interview.</p>
2.	Senior Librarian (Group – B)	By selection for appointment on promotion from amongst Librarians on the basis of seniority-cum-merit.	<p>(a) Graduate with Degree in Library Science/ Library &amp; Information Science from a recognised University/ Institution</p> <p>(b) Satisfactory Service of at least one year on the post of Librarian.</p> <p>(c) Interview.</p>
3.	Librarian (Group – B)	By selection for appointment on promotion from amongst Assistant Librarians on the basis of seniority-cum-merit and, in case suitable candidate is not available, by direct recruitment.	<p>(a) Graduate with Degree in Library Science/ Library &amp; Information Science from a recognised University/ Institution having experience in service in High Court or Central/ State Govt. aided Library or institution with status of a National/State Archives or reputed Library. Preference will be given to Law Graduate.</p> <p>(b) Diploma/ Certificate of at least six month's Course in Computer Application from recognised Institution.</p> <p>(c) <b>In case of Promotion</b> (i) Satisfactory Service of four years on the post of Assistant Librarian. (ii) Computer Proficiency Test. (iii) Interview.</p> <p>(d) <b>In case of Direct Recruitment</b></p>

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
			<ul style="list-style-type: none"> <li>(i) Written Test.</li> <li>(ii) Computer Proficiency Test.</li> <li>(iii) Interview.</li> </ul>
4.	Assistant Librarian (Group – C)	By selection for appointment on promotion from amongst Library Assistant on the basis of seniority-cum- merit and, in case suitable candidate is not available, by direct recruitment.	<ul style="list-style-type: none"> <li>(a) Graduate with Degree in Library Science/ Library &amp; Information Science from a recognised University/ Institution</li> <li>(b) Diploma/ Certificate of at least six month's Course in Computer Application from recognised Institution.</li> <li>(c) <b><u>In case of Promotion</u></b> <ul style="list-style-type: none"> <li>(i) Satisfactory Service of five years on the post of Library Assistant.</li> <li>(ii) Written Test.</li> <li>(iii) Computer Proficiency Test.</li> <li>(iv) Interview.</li> </ul> </li> <li>(d) <b><u>In case of Direct Recruitment</u></b> <ul style="list-style-type: none"> <li>(i) Written Test.</li> <li>(ii) Computer Proficiency Test.</li> <li>(iii) Interview.</li> </ul> </li> </ul>
5.	Library Assistant (Group – C)	By Direct Recruitment	<ul style="list-style-type: none"> <li>(a) Intermediate in any discipline from a recognised Board/ University/ Institution.</li> <li>(b) Diploma in Library Science/ Library &amp; Information Science from a recognised Institution.</li> <li>(c) Diploma/ Certificate of at least six month's Course in Computer Application from recognised Institution.</li> <li>(d) Written Test.</li> <li>(e) Computer Proficiency Test.</li> </ul>

(F) The mode of appointment, promotion & recruitment to Group – A, B & C posts of Miscellaneous Cadre in the establishment of the Court as per 'Staffing Pattern' shall be as follows:-

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
1.	Assistant Registrar-cum-Secretary to the Chief Justice (Group – A)	By deputation from amongst the eligible Assistant Registrars in the establishment of the Court.	<ul style="list-style-type: none"> <li>(a) Graduation in any discipline from a recognised University/ Institution</li> <li>(b) Satisfactory Service of one year on the post of Assistant Registrar.</li> <li>(c) Interview by the Chief Justice.</li> </ul>
2.	Budget Officer (Group – B)	By selection for appointment from amongst	<ul style="list-style-type: none"> <li>(a) Graduate in Commerce/ Accountancy from a recognised</li> </ul>

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
		eligible Assistant Budget Officer on the basis of seniority-cum-merit and, in case suitable candidate is not available, by direct recruitment.	<p>University / Institution</p> <p>(b) Diploma/ Certificate of at least six month's Course in Computer Application from recognised Institution.</p> <p>(c) <b>In case of Promotion</b>            (i) Satisfactory Service of four years on the post of Assistant Budget Officer            (ii) Written Test            (iii) Computer Proficiency Test            (iv) Interview</p> <p>(d) <b>In case of direct Recruitment</b>            (i) Three years' experience in the work of budgeting/ accountancy.            (ii) Written Test            (iii) Computer Proficiency Test            (iv) Interview.</p>
3.	Assistant Budget Officer (Group – B)	By direct recruitment	<p>(a) Graduate in Commerce/ Accountancy from a recognised University / Institution</p> <p>(b) Diploma/ Certificate of at least six month's Course in Computer Application from recognised Institution</p> <p>(c) Two years' experience in the work of budgeting/ accountancy</p> <p>(d) Written test</p> <p>(e) Computer Proficiency Test</p> <p>(f) Interview.</p>
4.	Cashier (Group – B)	By selection from amongst eligible Assistant Cashiers on the basis of seniority-cum-merit in the establishment of the Court and, in case suitable candidate is not available, by direct recruitment.	<p>(a) Graduate in Commerce/ Accountancy/ Mathematics from a recognised University/ Institution</p> <p>(b) Diploma/ Certificate of at least six month's Course in Computer Application from recognised Institution</p> <p>(c) Two years' experience in the related field.</p> <p>(d) <b>In case of Promotion</b> (i) Satisfactory Service of two years on the post of Assistant Cashier.            (ii) Written Test            (iii) Computer Proficiency Test            (iv) Interview</p> <p>(e) <b>In case of Direct Recruitment</b>            (i) Written Test</p>

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
			(ii) Computer Proficiency Test (iii) Interview.
5.	Assistant Cashier (Group – C)	By Direct Recruitment.	(a) Graduate in Commerce/ Accountancy/ Mathematics/ from a recognised University/ Institution (b) Diploma/ Certificate of at least six month's Course in Computer Application from recognised Institution (c) Written Test (d) Computer Proficiency Test (e) Interview.
6.	Foreman (Motor Car Garage)	By Direct Recruitment.	(a) Intermediate (12 <sup>th</sup> Passed) from a recognised Board/ University (b) Certificate in Mechanic (Motor Vehicles) trade from an Industrial Training Institute recognised by NCVT/ SCVT. (c) Two years' experience in relevant field. (d) Written Test (e) Interview.

**(G)** The mode of appointment, promotion & recruitment to Group – B & C posts of Staff Car Driver in the establishment of the Court as per 'Staffing Pattern' shall be as follows:-

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
1.	Staff Car Driver (Special Grade) (Group – B)	By promotion from amongst Staff Car Drivers (Grade - I) on the basis of seniority-cum-merit.	(a) 8 <sup>th</sup> Passed from a recognised Board or Institution. (b) Satisfactory Service of Six years.
2.	Staff Car Driver (Grade – I) (Group – C)	By promotion from amongst Staff Car Drivers (Grade - II) on the basis of seniority-cum-merit.	(a) 8 <sup>th</sup> Passed from a recognised Board or Institution. (b) Satisfactory Service of Five years.
3.	Staff Car Driver (Grade – II) (Group – C)	By promotion from amongst Staff Car Drivers (Basic Grade) on the basis of seniority-cum-merit.	(a) 8 <sup>th</sup> Passed from a recognised Board or Institution. (b) Satisfactory Service of Eight years.

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
4.	Staff Car Driver (Basic Grade) (Group – C)	By selection for appointment from Regular Mazdoors having satisfactory service of three years in this Court. In case suitable candidate is not available, by direct recruitment.	(a) 8 <sup>th</sup> Passed from a recognised Board or Institution. (b) Valid Driving License (c) Three years' experience in Driving (d) Driving Skill Test.

**(H)** The mode of appointment, promotion & recruitment to other Ex-Cadre Group –B & C posts in the establishment of the Court as per 'Staffing Pattern' shall be as follows:-

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
1.	Ex-Cadre Assistant (Group – C)	A. <u>By Direct Recruitment</u> 50% vacancies in a calendar year.	(a) Graduation in any discipline from a recognised University/ Institution. (b) Diploma/ Certificate of at least six month's Course in Computer Application from recognised Institution. (c) Written Test. (d) Computer Proficiency Test. (e) Interview.
		B. <u>Through Limited Competitive Test</u> 50 % of the vacancies in a calendar year from eligible Group-C Staff (Level-1 to Level-3) of the establishment.	(a) Graduation in any discipline from a recognised University/ Institution. (b) Two years' Satisfactory Service. (c) Knowledge of Computer (d) Written Test (e) Computer Proficiency Test (f) Interview.
2.	Computer Operator-cum-Typist (Group – C)	A. <u>By direct recruitment</u> 50 % vacancies in a calendar year.	(a) Graduation in any discipline from a recognised University/ Institution. (b) Diploma/ Certificate of at least six month's course in Computer Application (c) Certificate in Typing proficiency of 40 words per minute in English and 30 words per minute in Hindi. (d) Written test and Computer Typing Test (English & Hindi) (e) Interview.
		Through <u>Limited Competitive Examination</u> 50 % of the vacancies in a	(a) Graduation in any discipline from a recognised University/ Institution.

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
		calendar year from eligible Group-C Staff (Level-1 to Level-3) of the establishment.	(b) Two years' Satisfactory Service (c) Knowledge of Computer Application (d) Typing proficiency of 40 words per minute in English & 30 words per minute in Hindi. (f) Written test and Computer Typing Test (English & Hindi) (g) Interview.
3.	Assistant Court Officer (Group – C)	By selection for appointment from amongst eligible Group-C Staff (Level-1 to Level-3) of the establishment. In case suitable candidate as mentioned above is not available, from amongst eligible Regular Mazdoor.	(a) Intermediate (12 <sup>th</sup> Passed) from a recognised Board/ University (b) Two years' satisfactory service. (c) Knowledge of Computer (d) Written Test (e) Computer Proficiency Test. (f) Interview.
4.	Protocol Assistant (Group – C)	By selection for appointment from amongst eligible Group-C Staff (Level-1 to Level-3) of the establishment. In case suitable candidate as mentioned above is not available, from amongst eligible Regular Mazdoor.	(a) Intermediate (12 <sup>th</sup> Passed) from a recognised Board/ University (b) Two years' experience of Protocol and allied works (c) Two years' satisfactory service. (d) Interview.
5.	Photocopier Machine Operator / UBX Operator (Group – C)	By selection for appointment from amongst eligible Group-C Staff (Level-1 to Level-3) of the establishment. In case suitable candidate as mentioned above is not available, from amongst eligible Regular Mazdoor. (Due regard shall be given to total length of service/ seniority for shortlisting the candidates).	(a) Intermediate (12 <sup>th</sup> Passed) from a recognised Board/ University (b) Knowledge of handling Photo Copier Machine. (c) Two years' Satisfactory Service (d) Skill Test of related work.
6.	P.B.X. Operator (Group – C)	By Selection for appointment from amongst eligible Regular Mazdoors giving due regard to seniority.	(a) Intermediate (12 <sup>th</sup> Passed) from a recognised Board/ University (b) Two years' satisfactory service.
7.	Treasury Sarkar (Group – C)	By selection for appointment from amongst eligible Group-C Staff (Level-1 to Level-3) of the establishment.	(a) Intermediate (12 <sup>th</sup> Passed) from a recognised Board/ University (b) Two years' satisfactory service. (c) Interview.

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
		In case suitable candidate as mentioned above is not available, from amongst eligible Regular Mazdoor. (Due regard shall be given to total length of service/ seniority for shortlisting the candidates.)	
8.	Pass Distributor (Group – C)	By selection for appointment from amongst eligible Group-C Staff (Level-1 & 2) of the establishment and also from amongst eligible Regular Mazdoors giving due regard to total length of service/ seniority.	(a) Intermediate (12 <sup>th</sup> Passed) from a recognised Board/ University  (b) Two years' satisfactory service. (c) Knowledge of Computer (d) Computer Proficiency Test.
9.	Record Supplier (Group – C)	By selection for appointment from amongst eligible Group-C Staff (Level-1 & 2) of the establishment and also from amongst eligible Regular Mazdoors giving due regard to total length of service/ seniority.	(a) Intermediate (12 <sup>th</sup> Passed) from a recognised Board/ University  (b) Two years' satisfactory service (c) Test for indentifying judicial records of the court.
10.	Fax Operator (Group – C)	By selection for appointment from amongst eligible Group-C Staff (Level-1) of the establishment and also from amongst eligible Regular Mazdoors giving due regard to total length of service/ seniority.	(a) 10 <sup>th</sup> Passed (Matric) from a recognised Board. (b) Knowledge of handling Fax Machine. (c) Two years' satisfactory service (d) Skill Test of related work.
11.	Daftary (Group – C)	By selection for appointment from amongst from eligible Group-C Staff (Level-1) of the establishment and also from amongst eligible Regular Mazdoors giving due regard to total length of service/ seniority.	(a) 8 <sup>th</sup> Passed from a recognised Board. (b) Knowledge of pasting and binding (c) Two years' satisfactory service (d) Skill Test of related work.
12.	Generator Operator (Group – C)	By selection for appointment from amongst eligible Regular Mazdoors giving due regard to seniority.	(a) 10 <sup>th</sup> Passed (Matric) from a recognised Board. (b) Ability to operate Generator efficiently. (c) Two years' satisfactory service (d) Interview.

Sl. No.	Nomenclature / Classification of posts	Mode of Appointment	Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post
13.	Mali (Group – C)	By selection for appointment from amongst eligible Regular Mazdoors giving due regard to seniority.	(a) 8 <sup>th</sup> Passed from a recognised Board. (b) Proficiency in Gardening. (c) Two years' satisfactory service (d) Knowledge of cycling. (e) Skill Test of related work.
14.	Jamadar (Group – C)	By selection for appointment on promotion from amongst eligible Peons on the basis of seniority.	(a) 8 <sup>th</sup> Passed from a recognised Board. (b) Knowledge of Cycling. (c) Two years' satisfactory service.
15.	Peon (Group – C)	By selection for appointment from amongst eligible Regular Mazdoors on the basis of seniority. A Regular Mazdoor shall have to exercise option in the prescribed format prior to such appointment. Option once exercised shall be final.	(a) 8 <sup>th</sup> Passed from a recognised Board. (b) Knowledge of Cycling (c) Two years' satisfactory service.
16.	Chaukidar (Group – C)	By selection for appointment from amongst eligible Regular Mazdoors on the basis of seniority.	(a) 8 <sup>th</sup> Passed from a recognised Board. (b) Knowledge of Cycling (c) Two years' satisfactory service. (d) Physical efficiency test.
17.	Sweeper (Group – C)	By selection for appointment from amongst eligible Regular Mazdoors on the basis of seniority. A Regular Mazdoor shall have to exercise option in the prescribed format prior to such appointment. Option once exercised shall be final.	(a) 8 <sup>th</sup> Passed from a recognised Board. (b) Knowledge of Cycling (c) Two years' satisfactory service.
18.	Regular Mazdoor	By absorption from persons engaged on daily wages having due regard to seniority.	(a) 8 <sup>th</sup> Passed from a recognised Board. (b) Knowledge of Cycling (c) On completion of minimum two years' satisfactory performance of duty.

**PART V**  
**Procedure for Appointment**

**7. Calculation of vacancies.—**

- (i) For direct recruitment or appointment through limited competitive examination, vacancies shall be computed as on 1<sup>st</sup> January of the year. If vacancies of previous year(s) remain unfilled, the same shall also be taken into account.
- (ii) For filling up of the posts by way of promotion, process shall take place at least twice in a calendar year. Provided that the process for filling up the vacancies accruing till 1<sup>st</sup> July of a calendar year shall start in January whereas in July, the process shall start for filling up the vacancies accruing till 1<sup>st</sup> January of next calendar year.
- (iii) 5% (five percent) of total strength of Group-C posts shall be reserved for appointment on compassionate ground in terms of “**Scheme For Appointment on Compassionate Ground in Patna High Court, 2015**” notified vide Notification No.432 (A)/ A.D. (Rules) Patna dated 03<sup>rd</sup> November, 2015.

**8. Procedure for Appointment/ Promotion.—**

- (1) In the case of direct recruitment, the following procedure shall be followed : -
  - (a) Applications shall be called for after issuance of advertisement and/ or candidates may be referred from the employment exchange of the State of Bihar or such other procedures as may be prescribed by the Chief Justice.
  - (b) The procedure and syllabus relating to the competitive examination shall be such as may be prescribed by the Chief Justice from time to time.
  - (c) Selection will be made on the basis of marks secured by the candidate in written test(s) & interview and a select list/ panel (waiting list) shall be prepared accordingly. If the number of applicants are on the higher side, they will be shortlisted through screening or preliminary test. However, the Chief Justice may prescribe any other mode or method of selection. If two or more candidates secure equal marks, the candidate securing higher marks in the written test will be placed above and if the marks obtained in the written test are also equal, then the candidate born earlier will be placed above.
  - (d) Such panel (waiting list) shall remain valid for a period of one year from the date of its approval by the Chief Justice and may be extended for another one year in case of exigency.
  - (e) Posts falling vacant during the currency of the panel may be filled up from the same panel.
- (2) Appointment on promotion/ selection for appointment to Group – A and B (upto Level – 9) shall be made as per the mode prescribed against the posts by the Chief Justice on his own or on the recommendation of the Committee constituted by him.
- (3) Recruitment / Selection/ Appointment / Promotion / for Group – B (upto Level-8) and Group - C posts shall be made by the Registrar General, as per the mode and manner prescribed against the respective posts, under approval of the Chief Justice.

Provided that absorption to the post of Regular Mazdoor shall be made from amongst persons engaged on daily wages.

(4) Appointment to the post of Registrar-cum-Principal Private Secretary to the Chief Justice, Assistant Registrar-cum-Secretary to the Chief Justice and Court Officer shall not be made substantively or on probation. Any person appointed on these posts shall work on the said post on purely temporary and *ad hoc* basis for so long as his services may be required in that capacity by the Chief Justice.

9. ***'Kalawadhi' for Promotion.***—The minimum qualifying period for promotion to a higher post shall be as mentioned in the column 'Minimum Qualification/ Eligibility Conditions/ Procedure for filling up the post' against the posts in Part IV of these rules. The Chief Justice may issue orders in this regard from time to time as deemed necessary.

## PART VI

### Reservation and Other Miscellaneous Provisions

10. ***Reservation.***—Reservation in direct recruitment to the various categories of posts in the 'Establishment' in favour of the members of Scheduled Castes, Scheduled Tribes, Backward Classes, Extremely Backward Classes, Economically Weaker Sections (EWSs) of the State (who are not covered under the existing scheme of reservation for the SC, ST, BC, EBC); horizontal reservation for Women & Orthopedically Handicapped and reservation for other categories, if any, shall be in accordance with the orders issued by the Chief Justice from time to time having due regard to the legislative enactment and orders issued by the Governor of Bihar from time to time on the subject.

11. ***Nationality .—A candidate for recruitment to the establishment must be-***

- (a) A citizen of India, or
- (b) A Tibetan refugee who came over to India before 1<sup>st</sup> January, 1972 with the intention of permanently settling in India, or
- (c) A person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka and East African countries of Tanzania (formerly Tanganyika) and Zambia with the intention of permanently settling in India.

Provided that a candidate belonging to category (b) or (c) above must be a person in whose favour a certificate of eligibility has been issued by the State Government.

Provided also that, if a candidate belongs to category (c) above, no certificate of eligibility will be issued for a period of more than one year and such a candidate can be retained in service after a period of one year only if he has acquired Indian citizenship.

***Note -*** A candidate in whose case a certificate of eligibility is necessary but the same has neither been issued nor refused, may be admitted to an examination or interview and he may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his favour.

12. ***Appointment on Deputation.—***

- (i) The Chief Justice may, in exigency of service, appoint any other officer or employee in the establishment on deputation from persons serving in other High Court or Subordinate Courts of Bihar for such period, as may be considered appropriate.
- (ii) Deputation allowance, if admissible, shall be paid to a person working on deputation in the establishment in terms of existing rules/ circulars of the State Government.

**13. Appointment on Compassionate Ground.**—The Chief Justice may appoint on compassionate ground any person possessing at least the requisite minimum educational qualification against any Group - C post, except that of Assistant or its equivalent and above, subject to availability of posts, as per “**Scheme For Appointment on Compassionate Ground in Patna High Court, 2015**” notified vide Notification No.432 (A) / A.D. (Rules) Patna dated 03<sup>rd</sup> November, 2015.

**14. Age.**—A candidate for direct recruitment must not be below 18 years of age on the 1<sup>st</sup> January of the year in which the process of recruitment is initiated. The upper age limit for different categories shall be in accordance with the orders issued by the Chief Justice from time to time having due regard to orders issued by the Governor of Bihar from time to time on the subject.

Provided that upper age limit for those in Government employment shall be relaxable by 5 years.

Provided also that age limit shall not apply to a person already serving in the establishment of the Court or a person engaged on daily wages or those working in the Courts subordinate to this Court or placed on deputation.

**15. Preferential Qualifications.**—A candidate (i) who has served in the Territorial Army for a minimum period for two years or (ii) who has obtained a ‘B’ certificate of the National Cadet Corps shall, other things being equal, be given preference in the matter of direct recruitment to the establishment at the time of interview.

**16. Character.**—The character of a person for direct recruitment to the service of the Court must be such as to render suitable in all respect for appointment to the service. It will be the duty of the appointing authority to satisfy himself on this score.

**Note** - Person terminated/ dismissed by the Government or by a Local Authority or a Corporation owned or controlled by the Government or convicted of serious offences (other than those punishable with only fine) by Court of law will be deemed to be ineligible for the recruitment under these rules.

**17. Marital status.**—A male candidate who has more than one wife alive or a female candidate who has married a person already having a wife alive shall not be eligible for recruitment to the establishment.

**18. Physical fitness.**—No person shall be recruited to the establishment unless he/ she be in good mental and physical health and free from any physical defect likely to interfere with the efficient performance on his/ her official duties. Before a candidate recruited directly is appointed to the establishment, he shall be required to produce a medical certificate of physical fitness issued under the signature of a Medical Officer (not below the rank of Deputy Superintendent of a Government Hospital) at the time of joining the post.

Provided further that no person under orthopedically handicapped category shall be recruited unless he/ she be in good mental health and physically fit except to the extent of his disability.

**PART - VII****Appointment, Probation, Confirmation and other service matters**

**19. Appointment.**—On occurrence of substantive vacancies, the appointing authority shall make appointments to the various categories of posts in the establishment from the respective list of persons duly selected under these rules. Where a Select list has been prepared, appointments shall be made in the same order in which the names appear in the list.

Provided that the appointee shall have to join within the period specified in the appointment letter. Joining time may be extended upon the satisfaction of the Appointing Authority.

Provided further that the appointee who joins after the period specified in the appointment letter and beyond the extension period, if any, his/ her seniority shall be determined on the basis of his/ her date of joining.

**20. Existing Members of Establishment.**—Persons appointed to the various categories of posts in the establishment in substantive capacity including those appointed against temporary and officiating vacancies prior to the commencement of these rules shall be members of the establishment as if appointed in such capacity under these rules.

**21. Probation.—**

- (1) A person on initial appointment to a post in the establishment in substantive capacity shall be placed on probation for a period of one year.
- (2) The appointing authority may allow continuous service rendered in an officiating capacity or in a temporary capacity on the post, or on a higher post, to be taken into account for the purpose of computing the period of probation.
- (3) The appointing authority may, for reasons to be recorded in writing, extend the period of probation in individual cases specifying the date up to which the extension is granted.

Provided that in no case the period of probation will be extended by more than three years.

- (4) If it appears to the appointing authority at any time during or at the end of the period of probation or extended period of probation, as the case may be, that a probationer has not made sufficient use of his opportunities or has otherwise failed to give satisfaction, he may be reverted to his substantive post, if any, or if he does not hold a lien on any post, his services will be dispensed with.
- (5) A person whose service is dispensed with under sub-rule (4) shall not be entitled to any compensation.

**22. Confirmation of Services.**—A probationer shall be confirmed in his appointment at the end of his period of probation or extended period of probation, as the case may be, by the appointing authority if—

- (a) his/her work and conduct during the probation period have been found to be satisfactory by the concerned officer(s) of Registry
- (b) his/her integrity is not doubtful.
- (c) no adverse entry in his/her service record has been made.
- (d) no departmental proceeding/ action is pending or under contemplation against him/her.

Provided that additionally an Assistant has to pass the departmental examination of 'Patna High Court Rules, 1916' and a Personal Assistant/ Stenographer has to pass the departmental examination with regard to 'drawing up of peremptory orders usually passed by the Bench on the basis of the office notes given in cases' for being eligible for confirmation of his services. Confirmation of persons appointed on other substantive posts shall be governed by clause (a), (b), (c) & (d).

**23. *Permission for appointment to other Govt. Services, Lien & Resignation.*—**

- (i) Permission or 'no objection certificate' shall be granted/ issued to an employee of the establishment to appear at an examination / test for appointment to a substantive post in any government organization/ undertaking if the post applied for is of higher pay scale than that of his/ her present post.
- (ii) An employee of the establishment shall be relieved from the services of the establishment on Lien, if his services are confirmed and he/ she has been granted prior permission or 'no objection certificate' for the purpose referred to at serial (i).
- (iii) In case of an employee of the establishment, whose services are not confirmed, shall be relieved from the services of the establishment without Lien, provided that he/ she has been granted prior permission or 'no objection certificate' for the purpose referred to at serial (i).
- (iv) An employee of the establishment shall have to inform (in writing) the appointing authority three months prior to date of resignation. However, the appointing authority shall have the liberty to relax the provision under extraordinary circumstance. Provided that an employee who has already appeared at an examination / test (for appointment to a substantive post in any government/ undertaking) prior to joining services in the establishment of the Court shall have exemption from the aforesaid provision.

**24. *Service History and Annual Confidential Remarks (A.C.R)/ Permanent Character Roll (P.C.R.) .—***

- 1. Service History of maximum five years shall be taken into account while consideration of an employee for promotion.
- 2. Annual Confidential Remarks of all the Officers and Staff of each year (1<sup>st</sup> April - 31<sup>st</sup> March) shall be maintained in the following manner:
  - (i) The remarks in relation to officers of the rank of Joint Registrar and above shall be given each year by the Chief Justice.
  - (ii) The remarks in case of other Officers of the Registry shall be given every year by the Registrar General.
  - (iii) In case of all other officers and staff, the Registrar/ Joint Registrar in charge of the concerned department shall record the remarks each year on the basis of report of concerned Joint Registrar/ Deputy Registrar/ Assistant Registrar In-charge.

Provided that in case of all the Officers and Staff attached with the Judges or Officers of the Registry, the remarks shall be made by the concerned Puisne Judges and Officers of the Registry.

Provided further that in case the Deputy Registrar-cum-Senior Secretary/ Assistant Registrar-cum-Secretary to Puisne Judge/ Senior Personal Assistant/ Personal Assistant/ Stenographer are in reserve pool, the remarks shall be made by the Joint Registrar-cum-Additional Principal Private Secretary (in charge Personal Assistant's Section).

3. Entries in Permanent Character Roll (P.C.R.), if any, shall be maintained by the Registry.

**25. Seniority.**— Except as provided in Rule 26, seniority in each category of post in the establishment shall be determined by the date of order of appointment in a substantive capacity and names of the candidates appearing in the select list/ panel (waiting list) shall be arranged in order of merit on the basis of marks secured in the written test and interview. In case of two or more candidates securing equal marks, seniority shall be determined in terms of rule 8 (c) Part V of these rules.

In case of appointment to a post is made against the vacancies of a year, the direct recruits shall rank senior to those appointed through limited competitive examination.

Gradation list shall be maintained in respect of all officers and staff of the Court.

**26. Seniority of persons already in services of the Establishment.**—Seniority of the persons appointed to a post in the establishment prior to the commencement of these rules shall be such as was on the date of commencement of these rules.

## PART VIII

### Pay and Allowances

**27. Pay and Allowances.**—The pay and other allowances admissible to persons appointed to the various categories of posts in the establishment, whether in a substantive or officiating capacity or in temporary capacity shall be such as may be determined by the Chief Justice from time to time with the approval of the Governor of Bihar.

#### **28. Pay, Allowances and increment during probation.—**

- (1) Notwithstanding any provision in the Fundamental Rules to the contrary, a person on probation, if he is not already in permanent Government service, shall draw during the period of probation, the 1<sup>st</sup> increment and subsequent increment as they accrue on the condition that his work and conduct are reported to be satisfactory and he/ she has passed Departmental Examination conducted under the orders of the Chief Justice, from time to time.

Provided that if the period of probation is extended on account of failure to give satisfaction, such extension shall not be counted for increment unless the Chief Justice directs otherwise.

- (2) The pay during probation of a person already in permanent Government service shall be regulated by the relevant rules referred to in rule 40 (2).
- (3) An advance increment, if any, granted to employee of this Court shall be subject to approval by the State Government.

**PART – IX**  
**Disciplinary Action and Appeal**

**29. Disciplinary Authority.—**

- a. The Chief Justice shall be the Disciplinary Authority for all Officers of Group - A and B posts (Level-9 & above).
- b. The Registrar General shall be the Disciplinary Authority for all staff of Group - B (upto Level-8) and C posts.

**30. Disciplinary Action.—**

- (1) Registrar General under the order of Hon'ble the Chief Justice may suspend and/or initiate any disciplinary proceedings against the delinquent officer of the Court and impose any of the penalties in terms of provisions laid down in Bihar Government Servants (Classification, Control and Appeal) Rules, 2005.
- (2) Registrar General may suspend, initiate any disciplinary proceeding against the delinquent officer and impose any of the penalties in terms of provisions laid down in Bihar Government Servants (Classification, Control and Appeal) Rules, 2005.

**31. Appellate Authority.—** The Chief Justice shall be the Appellate Authority for all staff of Group - B (upto Level-8) and C posts .

**32. Appeal.—**

- (1) Any officer or staff of Group – B (upto Level-8) and C posts aggrieved by the imposition of any minor/ major punishment upon him/ her by the disciplinary authority may prefer an appeal before appropriate appellate authority within 60 days from the date of receipt of copy of such order or from the date of communication of the said order.  
 Such memorandum of appeal preferred by any officer or staff shall be considered by the appellate authority preferably within a period of three months.
- (2) The provisions as laid down in Bihar Government Servants (Classification, Control and Appeal) Rules, 2005 shall ordinarily be applicable in respect of Officers of Group- A & B and staff of Group- B & C of the Court. Under extraordinary circumstances, the Chief Justice may pass any order(s) as is deemed fit.

**PART - X**  
**Other Provisions**

**33. Dress Code.—**

- (i) All Officers of the Registry including Judicial Officers, Section Officers, Translation Officers, Court Officer, Senior Personal Assistants, Senior Librarian, Senior Programmer, Assistants attached with Bench, Assistants performing protocol duties, Personal Assistants, Librarian, Assistant Court Officers deputed in Court Officer's Office including those employees working as Assistant Court Officer and Stenographers shall present themselves before the Hon'ble Judges in:

**For Male:**

White Shirt, Steel Grey Coat/ Prince Coat and Dark Blue Tie with logo of Patna High Court and Black Trouser

**For Female:**

White or Cream/ Black Saree – Blouse/ White or Cream Shalwar - Kameez, Steel Grey Coat with logo of Patna High Court.

(ii) Officers of the Registry and Staff of the Court, who are required to wear the dress as prescribed in clause (i), shall be paid every year an amount as fixed by the Chief Justice from time to time for purchase and maintenance of dress. Payment of the said amount shall be made to eligible officers & staff only after completion of one year from the date of previous sanction order.

**34. Transfer and Posting.**— There shall be inter-sectional/ departmental transfer of Group B and C employees of the Court in such a manner so that everyone shall be posted in a Judicial Section of the Court at least for three years.

Provided that such transfer shall not adversely affect the smooth functioning of the Court's administration.

**35. Training.**—There shall be training for the employees of the establishment in order to make them acquainted with relevant rules, practices and procedures of the Court.

***36. Departmental Examination .—***

(i) A departmental examination of 'Patna High Court Rules, 1916' shall be held every year for confirmation to the post of Assistant in the Court.

(ii) A departmental examination for 'Drawing up peremptory orders usually passed by the Bench on the basis of office notes given in cases' shall be held every year for confirmation to the post of Personal Assistant/ Stenographer in the Court.

(iii) Departmental examination i.e. 'Limited Competitive Examination' shall be held every year for filling up the vacant post of Assistant, Personal Assistant and different Group C posts as per rule.

**37. Permission for going abroad on private visit.**—A member of the establishment shall have to submit an application as per prescribed procedure ordinarily 45 days in advance for prior permission for going abroad on private visit (except where visa is not required).

Such permission shall be granted to the satisfaction of the Court under normal circumstances within three week of the date of receipt of complete application. Any lacunae in the application should be brought to the notice of the employee within one week of the date of the application.

However, permission shall be denied if disciplinary proceeding/ criminal case is pending against employee(s) or in case the employee(s) is/are under suspension.

**38. Representation of Members of Establishment .—**Representations filed by members of the establishment in respect of service conditions and other matters shall be considered by the Court if the same disclose substantial reasons, within the ambit of these rules.

Any representation in the matter of appointment/ promotion etc. filed either by the members of the establishment or by any applicant in respect of direct recruitment shall not be entertained once the process is initiated.

**39. *Canvassing* .—**No recommendation for appointment either written or oral other than those required under these rules will be taken into consideration. Any attempt on the part of a candidate to gather directly or indirectly support for his candidature by any means will disqualify him for appointment.

**40. *Regulation of other matters***

- (1) All officers and employees of the Court shall be subject to the superintendence and control of the Chief Justice.
- (2) In respect of all the matters (not provided for in these rules) regarding the conditions of service of officers and employees of the Court including matters relating to their conduct, control and discipline, the rules and orders for the time being in force and applicable to Government servants holding corresponding posts in the Government of Bihar shall apply to the Officers and employees of the Court subject to such modifications, variations, and exceptions, if any, as the Chief Justice may, from time to time, specify.

Provided that no order containing modifications, variations or exceptions in rules or orders relating to salaries, allowances, leave or pensions shall be made by the Chief Justice except with the approval of the Governor.

Provided further that the said powers exercisable under rules and orders of Government of Bihar by the Governor shall be exercised by the Chief Justice or by such officer as he may, by general or special order, direct.

- (3) If any doubt arises in regard to a particular post in the establishment being corresponding to a post in the State Government, the matter will be decided by the Chief Justice.

**41. *Residuary powers*.—**Nothing in these rules shall be deemed to affect the powers of the Chief Justice to make such orders, from time to time, as he may deem fit in regard to all the matters incidental or ancillary to these rules not specifically provided for herein or in regard to matters as have not been sufficiently provided for:

Provided that if any such order relates to salaries, allowances leave or pension, the same shall be made with the approval of the Governor.

**42. *Interpretation*.—**All questions relating to the interpretation of these rules shall be referred to the Chief Justice, whose decision thereon shall be final.

**43. *Repeal and Savings*.—**The Patna High Court Officers and Staff (Conditions of Service and Conduct) Rules, 1997 as amended from time to time are hereby repealed:

Provided further that any action taken or proceedings under the repealed rules and pending at the commencement of these rules shall be continued and disposed of in accordance with the provisions of those rules.

**44. *General rules* .—**

- (1) All notifications issued, orders passed, appointments made or powers exercised by the Chief Justice or the Registrar General prior to the commencement of these rules shall be deemed to have been issued, passed, made and exercised respectively under the provisions of these rules.

(2) Notwithstanding anything contained in these rules, the Chief Justice shall have the power to make such orders, as he may consider fit, in respect of recruitment, appointment, promotion, confirmation or any other matter.

**By order of Hon'ble the Chief Justice,  
NAVNEET KUMAR PANDEY,  
*Registrar General.***

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